

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

)	
SANTANDER HOLDINGS USA, INC. &)	
SUBSIDIARIES,)	
)	
Plaintiff,)	
)	Case No. 09-cv-11043
v.)	
)	Hon. George A. O’Toole, Jr.
UNITED STATES OF AMERICA,)	
)	August 25, 2017
Defendant.)	
)	

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT REGARDING PENALTIES

Plaintiff Santander Holdings USA, Inc. (formerly Sovereign Bancorp, Inc. and hereinafter “Sovereign”), hereby moves pursuant to Fed. R. Civ. P. 56 for summary judgment that, as a matter of law, Sovereign cannot be subject to the negligence or substantial understatement penalties. As described in the attached memorandum of law, Sovereign satisfies defenses to both the negligence and substantial understatement penalties.

WHEREFORE, Sovereign respectfully requests entry of an order granting summary judgment that Sovereign cannot be subject to the negligence or substantial understatement penalties.

Respectfully submitted this 25th day of August, 2017.

COUNSEL FOR PLAINTIFF

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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), the undersigned certifies that counsel for the United States represented during the Status Conference on July 17, 2017, that the United States opposes this motion.

/s/ Rajiv Madan

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 25, 2017.

/s/ Rajiv Madan

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